

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

AKEBA PALMER,
a/k/a "Shai-King Mitchell,"
a/k/a "Big Sha,"
a/k/a "Shemal James,"

Defendant.

SEALED COMPLAINT

Violations of 18 U.S.C. §§ 922(g), 924(e)

COUNTY OF OFFENSE:
BRONX

23 MAG 7289

SOUTHERN DISTRICT OF NEW YORK, ss.:

MICHAEL FLANNERY, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD"), and charges as follows:

COUNT ONE

(Armed Career Criminal in Possession of a Firearm)

1. On or about October 4, 2023, in the Southern District of New York and elsewhere, AKEBA PALMER, a/k/a "Shai-King Mitchell," a/k/a "Big Sha," a/k/a "Shemal James," the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, to wit, a SCCY nine-millimeter, semi-automatic pistol, and the firearm was in and affecting commerce.

2. At the time of the offense, AKEBA PALMER, a/k/a "Shai-King Mitchell," a/k/a "Big Sha," a/k/a "Shemal James," the defendant, had three previous convictions in a court of a crime punishable by imprisonment for a term exceeding one year for violent felonies, committed on occasions different from one another, to wit, (i) a conviction on or about February 27, 1998, in Bronx County Supreme Court in New York, for Robbery in the First Degree, in violation of New York Penal Law § 160.15(4), committed on or about May 19, 1997; (ii) a conviction on or about February 27, 1998, in Bronx County Supreme Court in New York, for Robbery in the First Degree, in violation of New York Penal Law § 160.15(4), committed on or about April 27, 1997; and (iii) a conviction on or about April 6, 2004, in Richmond County Supreme Court in New York, for Robbery in the Second Degree, in violation of New York Penal Law § 160.10(2)(B), committed on or about April 24, 2003.

(Title 18, United States Code, Sections 922(g)(1) and 924(e).)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I have served for over eight years in the NYPD, and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the

investigation of this matter, my conversations with law enforcement officers and other individuals, as well as my examination of reports and other records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported in this Complaint, they are reported in substance and in part, except where otherwise indicated.

4. I am informed by an undercover police officer of the NYPD (“UC-1”) of the following information:

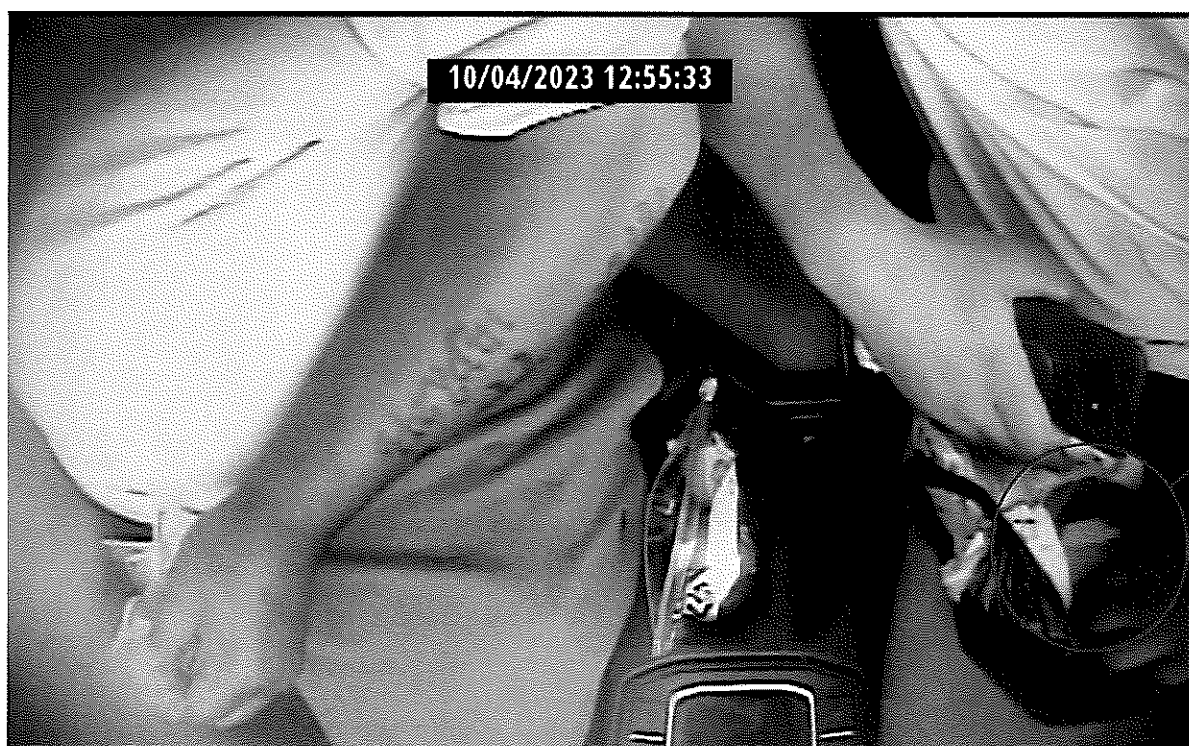
a. On or about October 3, 2023, UC-1 dialed a telephone number ending 7449 (the “7449 Number”) and participated in a telephone conversation with a male whom UC-1 referred to as “Big Sha” and subsequently identified as AKEBA PALMER, a/k/a “Shai-King Mitchell,” a/k/a “Big Sha,” a/k/a “Shemal James,” the defendant. During the telephone conversation, PALMER agreed, in substance and in part, to sell a firearm to UC-1 and sent a video recording of a firearm to the cellphone that UC-1 used to participate in the telephone conversation.

b. On or about October 4, 2023, UC-1 initiated further call and text-based communications with PALMER that were transmitted over the 7449 Number. During those communications, UC-1 arranged, in substance and in part, to meet PALMER and purchase a firearm from him. Later that same day, UC-1 met PALMER (whom UC-1 subsequently identified in a photo array) at an agreed-upon location in the Bronx, New York. There, PALMER handed UC-1 a SCCY nine-millimeter pistol (the “Firearm”) with a detached but compatible magazine and seven loose rounds of nine-millimeter ammunition in exchange for approximately \$600 of United States currency. A photograph of the Firearm is below:



c. This transaction on October 4, 2023 between UC-1 and PALMER took place inside UC-1's undercover car and multiple audio and video recording devices captured it. Those devices recorded PALMER sitting down in UC-1's car, PALMER handing UC-1 a black

plastic bag, and UC-1 sitting beside PALMER and opening the black plastic bag to reveal the Firearm. A set of still frames extracted from the resulting video recordings are below:



The Firearm

d. When PALMER walked up to UC-1's undercover car, UC-1 saw that a young girl accompanied PALMER. As PALMER sat down in the car with the young girl standing outside it, UC-1 stated, in substance and in part, "You got the little one today?" PALMER replied, in substance and in part, "Yeah, my daughter."

5. As part of my investigation, I have familiarized myself with the criminal history of AKEBA PALMER, a/k/a "Shai-King Mitchell," a/k/a "Big Sha," a/k/a "Shemal James," the defendant. Based on this familiarity, I know that PALMER has the word, "Heydin," tattooed on

his arm, as depicted above. Based on this familiarity, I also know that PALMER has at least four felony convictions, one federal conviction and three state convictions.


a. On the federal conviction, on or about April 19, 2004, in the United States District Court for the Southern District of New York, PALMER was convicted under the alias of "Shai-King Mitchell" of (i) participating in a conspiracy to commit robbery, in violation of 18 U.S.C. § 1951; (ii) carrying and using firearms, at least one of which was brandished, in connection with a conspiracy to commit robbery, in violation of 18 U.S.C. § 924(c)(1)(A)(i) and (ii); (iii) participating in a conspiracy to commit robbery, in violation of 18 U.S.C. § 1951; (iv) robbery, in violation of 18 U.S.C. § 1951; and (v) carrying and using firearms, at least one of which was brandished, in furtherance of a conspiracy to commit robbery and robbery, in violation of 18 U.S.C. § 924(c)(1)(A)(i) and (ii). *See United States v. Shai-King Mitchell*, 03 CR 537 (VM).

b. On the state convictions, (a) on or about February 27, 1998, in Bronx County Supreme Court in New York, PALMER was convicted under the alias "Shai King Mitchell" of Robbery in the First Degree, in violation of N.Y. P.L. § 160.15(4), committed on or about May 19, 1997; (b) on or about February 27, 1998, in Bronx County Supreme Court in New York, PALMER was convicted under the alias of "Shai King Mitchell" of Robbery in the First Degree, in violation of N.Y. P.L. § 160.15(4), committed on or about April 27, 1997; and (iii) on or about April 6, 2004, in Richmond County Supreme Court in New York, PALMER was convicted under the alias of "Shemal James" of Robbery in the Second Degree, in violation of New York Penal Law § 160.10(2)(B), committed on or about April 24, 2003.

c. Finally, I know that PALMER received a sentence in excess of one year's imprisonment on each of his four felony convictions. For example, on each of his first two state convictions, on or about March 9, 1998, he was sentenced to four to eight years' imprisonment.

6. As part of my investigation, I have also received information from a special agent of the Alcohol, Tobacco, Firearms, and Explosives Bureau ("ATF"), who, based on the special agent's expertise in the manufacturing of firearms and analysis of documents relating to the Firearm, including photographs of the Firearm, concludes that the Firearm was not manufactured in the State of New York.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of AKEBA PALMER, a/k/a "Shai-King Mitchell," a/k/a "Big Sha," a/k/a "Shemal James," the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.



Michael Flannery
Detective
New York City Police Department

Sworn to before me this 21 day of November, 2023



THE HONORABLE BARBARA MOSES
United States Magistrate Judge
Southern District of New York